Annex

[Original: Spanish]

Presidential Act of Brasilia, signed on 26 October 1998

On 26 October 1998, His Excellency Mr. Jamil Mahuad Witt, President of the Republic of Ecuador, and His Excellency Mr. Alberto Fujimori Fujimori, President of the Republic of Peru, met in the city of Brasilia to formally place on record that the differences which had divided their two countries for decades had been definitively settled.

The following were present in their capacity as Heads of State of the Guarantor Countries of the Protocol of Peace, Friendship and Boundaries signed in Rio de Janeiro on 29 January 1942: His Excellency Fernando Henrique Cardoso, President of the Federative Republic of Brazil; His Excellency Mr. Carlos Saúl Menem, President of the Argentine Republic; His Excellency Mr. Eduardo Frei Ruiz-Tagle, President of the Republic of Chile; and the Personal Representative of the President of the United States of America, Mr. Thomas F. McLarty III.

On this momentous occasion, the Presidents of Peru and Ecuador agreed to sign the present

Presidential Act of Brasilia

1. Express their conviction regarding the historic significance of the understandings reached between the two Governments for the development and well-being of the fraternal peoples of Ecuador and Peru. With these understandings, the process of substantive talks provided for in the Itamaraty Declaration of Peace of 17 February 1995 has been completed and a comprehensive and lasting end has been put to the differences between the two republics, so that, on the basis of their common roots, the two nations can advance towards a promising future based on cooperation and mutual benefit.

2. Declare that, with the binding view expressed by the Heads of State of the Guarantor Countries in their letter dated 23 October, which forms an integral part of this document, the border discrepancies between the two countries have been settled definitively. On this basis, the firm and unshakeable will of their Governments to complete the on-site marking of the common land boundary within the shortest possible time has been placed on record.

3. Simultaneously declare their commitment to submit the agreements signed on this date to the domestic ratification procedures, as necessary, with a view to ensuring their speedy entry into force. These agreements are as follows:

The treaty on Trade and Navigation, in application of article VI of the Rio de Janeiro Protocol of Peace, Friendship and Boundaries;

The Comprehensive Peruvian-Ecuadorian Agreement on Border Integration, Development and Good-Neighbourliness, which includes, as annexes, the Regulations of the Peruvian-Ecuadorian Good-Neighbourliness Commission; the Treaty on the Transit of Persons, Vehicles, Maritime and Fluvial Vessels and Aircraft; the Rules of Procedure of the Peruvian-Ecuadorian Border Committees; the Organizational Structure of the Binational Plan for Border Area Development; the Programmes of

the Binational Plan for Border Area Development; and the Organizational Structure of the Binational Fund for Peace and Development. It also includes the Agreement for the Acceleration and Extension of Free Trade between Ecuador and Peru. In addition, it includes the draft Agreement by Exchange of Notes for the Technical-Economic Feasibility Study on the Puyango-Tumbes Binational Project; the draft Memorandum of Understanding on the Urban, Regional and Services Programme for the Tumbes-Machala Road; the draft Memorandum of Understanding on Road Connections between Peru and Ecuador; the draft Agreement on Electrical Connections; the Framework Agreement for Commissioning a Pre-feasibility Study for the Binational Project for the Transport of Petroleum and Natural Gas; the draft Memorandum of Understanding concerning Strengthening of Mutual Cooperation in Tourism; the draft Agreement for the Development of a Technical Cooperation Programme in the Fisheries Sector; and the draft Memorandum of Understanding on Educational Cooperation;

An Exchange of Notes on the Framework Agreement on the Rehabilitation or Reconstruction of the Inlet and related construction work on the Zarumilla channel and Administrative Regulations concerning the Zarumilla channel and the exploitation of its waters;

An exchange of notes concerning matters relating to navigation in the sectors where the boundary line intersects the rivers, in particular the Napo River;

An exchange of notes on the Agreement Establishing a Binational Peruvian-Ecuadorian Commission on Mutual Confidence-Building and Security Measures.

4. Expressly place on record the importance of the agreements reached for the ideals of peace, stability and prosperity to which the American continent is committed. In that connection, and in accordance with article 1 of the Rio de Janeiro Protocol of Peace, Friendship and Boundaries of 1942, they solemnly reaffirm their rejection of the threat or use of force in relations between Peru and Ecuador and of all acts that may undermine peace and friendship between the two nations.

5. The Presidents of Ecuador and Peru, wishing to emphasize their appreciation for the fundamental role played in the attainment of these understandings by the Governments of the Argentine Republic, the Federative Republic of Brazil, the Republic of Chile and the United States of America, the Guarantor Countries of the Protocol of Peace, Friendship and Boundaries signed in Rio de Janeiro on 29 January 1942, place on record the gratitude of their nations for the dedication and effort shown by those countries in seeking the implementation of the Protocol, and call upon them to continue to fulfil that function until the demarcation has been completed.

This Act has been signed by His Excellency Mr. Alberto Fujimori Fujimori, President of the Republic of Peru, and His Excellency Mr. Jamil Mahuad Witt, President of the Republic of Ecuador, and endorsed by Mr. Fernando de Trazegnies Granda, Minister for Foreign Affairs of Peru, and Mr. José Ayala Lasso, Minister for Foreign Affairs of Ecuador.

The following persons have signed it in their capacity as witnesses of this solemn ceremony: His Excellency Mr. Fernando Henrique Cardoso, President of the Federative Republic of Brazil; His Excellency Mr. Carlos Saúl Menem, President of the Argentine

Republic; His Excellency Eduardo Frei Ruiz-Tagle, President of the Republic of Chile; and the Personal Representative of the President of the United States of America, Mr. Thomas F. McLarty III.

(Signed) Jamil **Mahuad Witt**
President of the Republic of Ecuador

(Signed) Alberto **Fujimori**
President of the Republic of Peru

(Signed) Carlos Saúl **Menem**
President of the Argentine Republic

(Signed) Fernando Henrique **Cardoso**
President of the Federative Republic of Brazil

(Signed) Eduardo **Frei Ruiz-Tagle**
President of the Republic of Chile

(Signed) Thomas F. **McLarty III**
Personal Representative of the President of the United States of America

(Signed) Fernando **de Trazegnies Granda**
Minister for Foreign Affairs of Peru

(Signed) José **Ayala Lasso**
Minister for Foreign Affairs of Ecuador